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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: LOWER MANHATTAN DISASTER  
SITE LITIGATION

21 MC 100 (AKH)

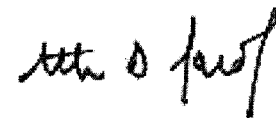
THIS DOCUMENT APPLIES TO ALL CASES  
IN WHICH THE PORT AUTHORITY OF  
NEW YORK AND NEW JERSEY IS A  
DEFENDANT

NOTICE OF MOTION FOR SUMMARY  
JUDGMENT DISMISSING COMPLAINTS  
AGAINST THE PORT AUTHORITY FOR  
LACK OF SUBJECT MATTER  
JURISDICTION

PLEASE TAKE NOTICE, that upon the accompanying memorandum of law, declaration of Donald A. Klein dated April 13, 2011, and the attached exhibits thereto, and all prior proceedings and pleadings in 21 MC 100, The Port Authority of New York and New Jersey will move this Court in Courtroom 14D at the United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be determined, for an Order pursuant to Federal Rules of Civil Procedure, Rules 56(b) and 12(b)(1), dismissing the actions listed in the attached Appendix on the ground that this Court does not have subject matter jurisdiction because they do not comply with the requirements of New York Unconsolidated Laws § 7107, and for such other and further relief as to this Court seems just and proper.

Dated: New York, New York  
April 13, 2011

By: \_\_\_\_\_



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**Appendix**

<b>Plaintiff</b>	<b>Case Number</b>
Bartolotta, Sebastian	06cv14487
Dannenfelter, Gene	06cv12018
Davis, Maurice	06cv09529
DeFano, John	07cv04916
Defeo, Patricia	06cv08957
Devlin, Chris	06cv13871
Fagan, Michael	06cv12051
Faltynowicz, Stanislaw	08cv02616
Ferraro, Edward M.	06cv07411
Gilford, Samuel	06cv09785
Glover, Melvin	06cv13928
Greenberg, Bruce	05cv07273
Guriel, Tom	06cv12122
Gutierrez, William	08cv01384
Hardy, Leslie	08cv01760
Howard, Gregory	06cv10780
Kelly, Thomas	06cv13972
Lassiter, Irvin	06cv11205
Logan, Charles	06cv08448
Marshall, John	06cv14019
Martin, Robert J.	07cv10012
McHale, Thomas	06cv14031
McNellis, Sean	06cv10401
Moschitta, Michael	06cv08983
Moynihan, Daniel	07cv05021
Netrosio, Mimi	06cv11774
O'Donnell, Glenn	06cv09657
Potanavic, Raymond	07cv05039
Prager, Richard	07cv05041
Ragazzo, Joseph	08cv00764
Rozakis, William	06cv10473
Ruis, John	06cv11264
Samothrakis, Sotereos	07cv05070
Schor, Robert	05cv01618
Schuler, Steven	07cv05425
Takacs, James	06cv10884
Trembone, Joseph	05cv01629
Vaughan, Michael	06cv15110
Walcott, John	04cv04178
Wallace, James	06cv12605